

REMARKS

Claims 1-7, 9, 10, 12-18, 20-23, 25-27, and 29-40 were rejected in the above-identified final Office Action. In response, Applicants have amended claims 1, 2, 10, 13-15, 18, 21, 22, 26, 29-34, and 38 and has cancelled claims 4, 5, 12, 16, 17, 23, 25, 27, 39, and 40. No new matter has been added. Accordingly, claims 1-3, 6, 7, 9, 10, 13-15, 18, 20-22, 26, and 29-38 remain pending.

Amendments

Support for the amendments may be found at least on page 15, lines 12-22 of the originally-filed Specification.

Claim Objections

On pages 3-4 of the above-identified Office Action, the Examiner objects to claims 1, 13, and 32. The Examiner notes that the phrase “the identifier included in the primary content data” lacks antecedent basis. Applicants note in response that the objected-to phrase has been deleted from claims 1, 13, and 32, obviating the Examiner’s objections.

Claim Rejections - 35 USC §102

On page 4 item 2 of the above-identified Office Action, the Examiner rejects claims 1-7, 9, 10, 12-18, 20-23, 25-27, and 29-40 under 35 U.S.C. § 102(e) as being anticipated by US Patent No. 6,240,555 issued to *Shoff et al.* (hereinafter “Shoff”).

Applicants respectfully submit that the rejections of claims 4, 5, 12, 16, 17, 23, 25, 27, 39, and 40 are obviated by their cancellations.

As amended, claim 1 recites a method comprising:

“receiving primary content data at a set-top system from a primary external source, including at least one tag value identifying a piece of a first portion of subsidiary data as being associated with a time segment of the primary content data;

accessing a storage of the set-top system storing the subsidiary data, the subsidiary data supplementing the primary content data, the storage having a plurality of portions of the subsidiary data, including the piece of the first portion of the subsidiary data and tag value, the accessing including retrieving the piece of the first portion of the subsidiary data based on the tag value; and

generating an output signal including the primary content data and the piece of the first portion of the subsidiary data for displaying on a display coupled to the set-top system, with the piece being displayed concurrently with the primary content data during the time segment.”

In rejecting claim 1, the Examiner cites Figures 2 and 8c of Shoff, as well as a number of passages of Shoff. Those figures and passages describe a media distribution system comprised of a set-top box connected to a “headend” over a network, the headend storing video programs, program guides, and supplemental content. The video programs are provided to the set-top box, and the program guide is used to determine if there are any supplemental contents associated with the video program. If there are, the supplemental contents are retrieved. Also, the retrieved supplemental content may be synchronized to the video programs. As support for this, the Examiner cited col. 9, line 66, and col. 10, lines 1-17 and 34-58. As described by those passages, the retrieved supplemental content may include timing information for synchronizing the supplemental content to the video program. The timing information may specify point(s) in time in the video program at which to display the supplemental content or frame of the video program at which to display the supplemental content.

Applicants respectfully submit that the amendments to claim 1 overcome the Examiner's rejection. As amended, claim 1 recites a method of retrieving supplemental

data based on a tag value contained in the primary content data, the tag value “identifying a piece of a first portion of subsidiary data as being associated with a time segment of the primary content data.” Thus, in amended claim 1, the “timing information” that is used to synchronize the primary and supplemental content is found in the primary content and is used to retrieve the supplemental content. In contrast, Shoff teaches the retrieving of supplemental content prior to any sort of possession or use of the timing information.

Further, nothing in Shoff is capable of reading on the tag value of claim 1. While the frame numbers used by Shoff for synchronization may be contained in the video program, Shoff does not teach that the frame numbers are used to retrieve supplemental content associated with the frame numbers. Rather, in Shoff, the process is backwards: the supplemental content is retrieved, the frame numbers referenced in the timing information of the supplemental content are analyzed, and the supplemental content is then lastly keyed to the video program.

Accordingly, amended claim 1 is patentable over Shoff under §102.

Amended claims 13 and 32 recite limitations similar to those of amended claim 1, directed to an article and a system of claim 1, respectively. Thus, claims 13 and 32 are patentable over Shoff for at least the same reasons as claim 1.

Claims 2, 3, 6, 7, 9, 10, 14, 15, 18, 20-22, 26, 29-31, and 33-38 depend on amended claims 1, 13, and 22, incorporating their limitations. Accordingly, claims 2, 3, 6, 7, 9, 10, 14, 15, 18, 20-22, 26, 29-31, and 33-38 are patentable over Shoff for at least the same reasons.

Conclusion

Applicant submits that claims 1-3, 6, 7, 9, 10, 13-15, 18, 20-22, 26, and 29-38 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,
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